

REMARKS

Claims 1-18 have been examined, with claims 1-4 and 8-11 remaining rejected based on prior art, and claims 5-7 and 12-18 still being indicated as containing allowable subject matter.

The Examiner has maintained the rejection of claims 1-4 and 8-11 under 35 USC 103(a) as being unpatentable over McAdams, Jr. (U.S. Patent No. 4,783,598) in view of Jachimowicz et al. (U.S. Patent No. 5,734,154). Applicant continues to traverse this rejection for the reasons set forth below.

In the previous Response Applicant asserted that one skilled in the art would not combine the teachings of McAdams and Jachimowicz (see Amendment in Response to Non-Final Office Action, paragraph bridging pages 8 and 9). The Examiner now responds by arguing that “it is proper to combine the McAdams and Jachimowicz references because both references teach portable data storage systems with imaging capabilities. Jachimowicz is improving the McAdams reference by providing for a more flexible imaging system (i.e. rotationally moving mirror).”

Applicant respectfully disagrees with the Examiner’s position. McAdams discloses a module 10 with a contactless optical window 16, which varies the amount of light passing through, that is, functions as a shutter to either let light pass through or not. On the other hand, Jachimowicz teaches a smart card with a virtual image display 16, which provides a visual image of an information record. Since McAdams’s optical window 16 conveys data only in a binary-coded format (i.e., on or off via the optical shutter; see McAdams, column 4, lines 48 to 57), one of ordinary skill would not have been motivated at the time of the invention to replace this optical window shutter with a virtual display that provides an actual image. Moreover, the implementation of Jachimowicz’s virtual display in the McAdams’ window 16 would result in significant effort and manufacturing cost.

Even were McAdams and Jachimowicz properly combinable, they still would not suggest the claimed invention. As asserted in the previous Response, the applied references do not suggest a chip card having a mirror, which is rotationally movable around two axes with reference to the

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substrate and an actuator for moving the mirror, as required by independent claim 1. Contrary to the Examiner's statement in the Office Action on page 3, line 2, McAdams does not have a mirror. Also, contrary to the Examiner's statement in the Office Action page 3, second full paragraph, the Jachimowicz virtual image-display 16 does not comprise the claimed mirror, as the mirror 65 is implemented in a single-fold optical amplifier 52 with a slot, in which a smart card 12 can be positioned (see column 6, lines 47 to 49). The mirror 65 is not held rotationally moveable around two axes, as Jachimowicz teaches that this reflecting surface is used to reflect light at an angle of approximately 95° (see column 7, lines 27-35).

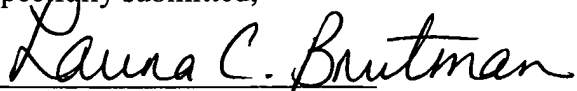
In the previous Response Applicant also asserted that the applied references do not suggest a chip card reading device with a chip card holding means, wherein the chip card holding means is implemented, so that it may hold the chip card, so that the mirror is visible from the outside, as required by independent claim 10. Applicant stated that contrary to the Examiner's statement in the Office Action, Jachimowicz does not disclose this feature in Figs. 3 and 4. Rather, Fig. 4 shows a smart card 12 with an image generation apparatus 20 in an accessory component 17. Even if the image generation apparatus 20 in the smart card were to comprise a mirror, Jachimowicz still would not suggest the mirror being visible from the outside. As can be seen from Fig. 4, the image generation apparatus 20 is not visible from the outside, as it is covered by the housing of the visual image display 16. (See Amendment in Response to Non-Final Office Action, paragraph bridging pages 9 and 10.) The Examiner merely repeats her position from the previous Office Action, that is, that Figs. 3 and 4 show that "the image generation apparatus 20 comprises a mirror being visible from the outside (i.e. through the holder)." Applicant continues to disagree with the Examiner's position, and respectfully requests the Examiner to either respond to Applicant's assertions, or withdraw the prior art rejection.

It is respectfully submitted that for the reasons asserted above, independent claims 1 and 10, along with dependent claims 2-9 and 11-18 are patentable over the applied references. Applicant therefore believes the pending application is in condition for allowance.

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Respectfully submitted,

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